Appl. No. 10/627,507 Amdt. sent July 19, 2004 Preliminary Amendment

REMARKS/ARGUMENTS

This application is further related to commonly owned and co-pending U.S.

Patent Application 10/823,619, filed April 14, 2004 and titled "Method and Apparatus for

Avoiding Journal Overflow con Backup and Recovery System Using Storage Based Journaling."

CONCLUSION

Respectfully submitted,

George B. F. Yee

Reg. No. 37,478

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 415-576-0300

GBFY 60264002 v1